IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

RICHARD A. JOHNSON, and)
C. DALE ALLEN, TRUSTEES,)
)
Plaintiff,)
)
v.) Case No. 3:11-cv-866
)
PRUDENTIAL INSURANCE COMPANY) Judge Haynes
OF AMERICA, INC.,)
)
Defendant.)

NOTICE OF APPEAL

Notice is hereby given that Richard A. Johnson and C. Dale Allen, in their official capacity as Trustees, hereby appeal to the United States Court of Appeals for the Sixth Circuit from the Final Judgment entered in this action on the 29th day of March, 2013.

s/ Winston S. Evans

Winston S. Evans (#6281)
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **NOTICE OF APPEAL** has been served via **the Court's Electronic Filing System** upon:

Thomas K. Potter, III James A. Haltom BURR & FORMAN LLP 700 Two American Center 3102 West End Ave. Nashville, TN 37203

this 23rd day of April, 2013.

s/ Winston S. Evans

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